

REMARKS

This amendment is in response to the Final Office Action dated January 27, 2010 (“the Office Action”). Claims 3, 8-10, 16, 20, 21, 24-46, and 51-55 have been cancelled without prejudice or disclaimer. Claims 1, 50, 56, and 61 have been amended. No new subject matter has been added. Accordingly, claims 1, 2, 4-7, 11-15, 17-19, 22, 23, 47-50, and 56-61 are pending.

Applicants thank the Examiner for the indication, at p. 2 of the Office Action, that claims 14, 15, 17-19, 22, 23 and 56-60 are allowed. Additionally, Applicants thank the Examiner for the telephone interview of April 26, 2010, in which agreement was reached that the amendment to claim 1 overcomes the rejection under 35 U.S.C. § 112, first paragraph. Applicants understand from the interview that an additional search may be conducted and that, since the amendments herein overcome the only rejection in the Final Office Action, a subsequent Office Action, if necessary, will be non-final.

Claim Rejections – 35 U.S.C. § 112

Claims 1, 2, 4-7, 11-13, 47-50 and 61 are rejected under 35 U.S.C. § 112, first paragraph, at p. 2 of the Office Action. Specifically, the Office Action states that claim 1 “recites ‘at least a portion of a first telecommunication protocol’. The specification does not disclose how a portion of a protocol would be implemented. The specification does not define what the claimed portion would comprise, or how the device would ‘implement a protocol’ as claimed, while only a portion of the protocol is specified by the system.” Applicants respectfully traverse the rejections. However, to expedite allowance of the application, claim 1 has been amended, and Applicants request entry of the amendments to place the application in condition for allowance. Accordingly, claim 1 is allowable, and claims 2, 4-7, 11-13, 47-50 and 61 are allowable at least by virtue of their dependence from claim 1.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references applied in the Office Action.

Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the rejections, as well as an indication of the allowability of each of the pending claims.

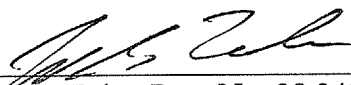
Any changes to the claims in this response that have not been specifically noted to overcome a rejection based upon the cited art should be considered to have been made for a purpose unrelated to patentability and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

4-26-2010
Date



Jeffrey G. Toler, Reg. No. 38,342
Attorney for Applicant(s)
Toler Law Group, Intellectual Properties
8500 Bluffstone Cove, Suite A201
Austin, Texas 78759
(512) 327-5515 (phone)
(512) 327-5575 (fax)